

STATE
AUTH.

OLL 85-1638
14 June 1985

MEMORANDUM FOR: NIO/NARC
[redacted] DDO
[redacted] /DDC
C/PCS/DDO

STAT

FROM: [redacted]
Legislation Division
Office of Legislative Liaison

STAT

SUBJECT: Request for Comments: "International
Narcotics Control Commission"

1. Attached for your review and comment please find a copy of a provision to create an "International Narcotics Control Commission". This provision was added by Senator Paula Hawkins as a floor amendment during Senate consideration of H.R. 2068, the authorization bill for the Department of State and related agencies. H.R. 2068 subsequently passed the Senate and the Senate has asked for a conference with the House to reconcile the differences between the two versions. The conference has not been scheduled as yet, but it will likely be in the near future.

2. On its face, the provision would appear to have no direct effect on intelligence activities. I do note, however, that the purposes of the Commission are, inter alia, to "monitor compliance with narcotics control treaties including...narco-terrorism" and "monitor...the United States Government...programs seeking to expand international cooperation against...narcotics trafficking".

3. The Commission is composed of representatives from the Executive and Legislative Branches and is vested with subpoena power.

4. I would appreciate receiving your comments by 21 June 1985.

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Attachment
as stated

Distribution:

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~~1~~ - Leg/Subject - Narcotics, State Authorization

1 - [] Signer

LEG/OLL: [] (20 June 1985)

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Mr. DÖLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I have a question that I wish to ask of the distinguished manager or managers.

As I recall, the request for \$4 billion in humanitarian assistance for the Contras was initially made in the spring or summer a year ago. I believe that is correct.

My question is, if \$14 million was initially requested for the entire fiscal year 1985, which will have run its course as of September 30, this year, why is the same amount of money needed for the remainder of this fiscal year, keeping in mind that by the time this bill is finally enacted, only July, August, and September will remain in this fiscal year? Since \$14 million was originally requested for the whole year, why could not that amount of money be pro rata reduced for the remaining 3 months?

Mr. LUGAR. I would like to respond to the distinguished minority leader that indeed he is correct. The \$14 million originally contemplated for the fiscal year was passed over at the beginning of the year, and we would be through it by the time of the potential passage of this bill. Of course, the bill that the Senate passed last year had \$24 million for the fiscal year.

I think the only answer that can be given is the \$14 million originally is a relatively small sum, given the numbers of persons involved. The Contras may or may not be as many as 10,000 or 20,000. These are estimates that are often given by observers in the field. Divided by that number of persons or even a fraction of them, \$14 million for humanitarian assistance—food, clothing, shelter, and other aid of that variety—will be rapidly dissipated. The \$14 million, I presume, was not changed by the authors of the legislation largely because it has become a figure which is familiar to the Senate and the House, one which we have voted on in the past, and there was resistance, as the minority leader will recall, in the House to \$14 million.

I expect in a tactical sense the thought of going beyond that sum at this time now seems advisable as we get another revisiting of the problem, thinking about it for another year, with the sum increasing to \$24 million.

I think the direct answer is there is no technical reason for the \$14 million specifically for either the year or the 3 months. It simply is that that was the residue of the earlier debate taken up again and revisited on this occasion.

Mr. BYRD. Mr. President, I thank the distinguished manager of the bill. Can we get the information in the

Record before we vote? We should have something from the administration that would indicate why the original request for \$14 million for an entire year remains at \$14 million even after three-fourths of the fiscal year has gone by.

Mr. LUGAR. I will respond that I will make that request immediately to administration spokesmen. During the course of the afternoon, I am hopeful they might forward to us information that will give us a satisfactory answer.

Mr. BYRD. I thank the manager of the bill. I yield the floor.

Mr. LUGAR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LUGAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HATFIELD). Without objection, it is so ordered.

Mr. LUGAR. Mr. President, I ask unanimous consent that the pending amendment, a second-degree amendment by Senator HELMS, be temporarily laid aside and that an amendment to be offered by the distinguished Senator from Florida, Senator HAWKINS, now be considered.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 329

(Purpose: To establish the International Narcotics Control Commission)

Mrs. HAWKINS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

Mr. LUGAR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Indiana is recognized for a parliamentary inquiry.

Mr. LUGAR. Mr. President, would the Chair advise us to which amendments must be set aside so that the way is clear for Senator HAWKINS to offer her amendment?

The PRESIDING OFFICER. The amendments of the Senator from North Carolina, as well as the amendment being offered by the Senator from Idaho, have to be set aside in order to provide an opportunity for the Senator from Florida to present an amendment.

Mr. LUGAR. I thank the Chair.

Mr. President, I will ask unanimous consent that both of the amendments by the Senator from North Carolina [Mr. HELMS] and the amendment by the Senator from Idaho [Mr. SYMONS] be laid aside temporarily so that Senator HAWKINS might proceed with her amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Florida (Mrs. HAWKINS) proposed an amendment numbered 329.

Mrs. HAWKINS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 31, after line 23, insert the following:

TITLE VI—MISCELLANEOUS PROVISIONS

INTERNATIONAL NARCOTICS CONTROL COMMISSION

SEC. 601. (a) There is established the International Narcotics Control Commission (hereafter in this section referred to as the "Commission").

(b) The Commission is authorized and directed—

(1) to monitor and promote international compliance with narcotics control treaties, including eradication, money laundering, and narco-terrorism; and

(2) to monitor and encourage United States Government and private programs seeking to expand international cooperation against drug abuse and narcotics trafficking.

(c)(1) The Commission shall be composed of twenty-two members as follows:

(A) Seven Members of the House of Representatives appointed by the Speaker of the House of Representatives. Four members shall be selected from the majority party and three shall be selected, after consultation with the minority leader of the House, from the minority party.

(B) Seven Members of the Senate appointed by the President of the Senate. Four members shall be selected from the majority party of the Senate, after consultation with the majority leader, and three shall be selected, after consultation with the minority leader of the Senate, from the minority party.

(C) One member of the Department of State appointed by the President.

(D) One member of the Department of Justice appointed by the President who shall be the Attorney General.

(E) One member of the Department of the Treasury appointed by the President.

(F) Five members of the public to be appointed by the President after consultation with the members of the appropriate congressional committees.

(3) There shall be a Chairman and a Co-chairman of the Commission.

(3) On the date of enactment of this section and at the beginning of each odd-numbered Congress, the President of the Senate, on the recommendation of the majority leader, shall designate one of the Senate Members as Chairman of the Commission. At the beginning of each even-numbered Congress, the Speaker of the House of Representatives shall designate one of the House Members as Chairman of the Commission.

(4) At the beginning of each odd-numbered Congress, the Speaker of the House of Representatives shall designate one of the House Members as Cochairman of the Commission. At the beginning of each even-numbered Congress, the President of the Senate, on the recommendation of the majority leader, shall designate one of the Senate Members as Cochairman of the Commission.

(d) In carrying out this section, the Commission may require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems neces-

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early. Subpoenas may be issued over the signature of the Chairman of the Commission or any member designated by him, and may be served by any person designated by the Chairman or such member. The Chairman of the Commission, or any member designated by him, may administer oaths to any witness.

(e) In order to assist the Commission in carrying out its duties, the President shall submit to the Commission a semiannual report regarding the status of compliance with narcotics control treaties, the first one to be submitted six months after the date of enactment of this section.

(f) The Commission is authorized and directed to report to the House of Representatives and the Senate with respect to the matters covered by this section on a periodic basis and to provide information to Members of the House of Representatives and the Senate as requested. For each fiscal year for which an appropriation is made the Commission shall submit to the Congress a report on its expenditures under such appropriation.

(g)(1) There are authorized to be appropriated to the Commission for each fiscal year and to remain available until expended \$550,000 to assist in meeting the expenses of the Commission for the purpose of carrying out the provisions of this section, such appropriation to be disbursed on a voucher to be approved by the Chairman of the Commission.

(2) For purposes of section 902(b) of the Mutual Security Act of 1954, the Commission shall be deemed to be a standing committee of the Congress and shall be entitled to the use of funds in accordance with such sections.

(3) Not to exceed \$8,900 of the funds appropriated to the Commission for each fiscal year may be used for official reception and representational expenses.

(h) The Commission may appoint and fix the pay of such staff personnel as it deems desirable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and general schedule pay rates.

Mrs. HAWKINS. Mr. President, this amendment authorizes the Department of State to establish the International Narcotics Control Commission.

No threat strikes America more frequently nor more gravely than the threat of illegal narcotics. It makes its use felt in our homes, failed education, lower productivity, impaired national defense, increased violent crime, addiction, and, yes, death.

To combat this threat effectively, we must use a three-pronged approach: we must eradicate, we must educate, and we must cut off drugs at the source. In order to achieve the eradication of drug abuse in our Nation, we must fight the battle against illicit narcotics simultaneously on all three fronts, and in so doing we must use every weapon at our disposal.

A most useful weapon, using as an example the highly successful Helsinki Commission, would be an International Narcotics Control Commission, designed to monitor and promote international compliance with narcotics control treaties, including those involving eradication, money laundering and terrorism. This Commission would

also monitor and encourage U.S. Government and private programs seeking to expand international cooperation against drug abuse and narcotics trafficking.

The composition of the Commission would be as follows: seven Members of the House of Representatives appointed by the Speaker, four of whom would be from the majority party, and three of whom would be from the minority party; seven Members of the Senate appointed by the President of the Senate, again, with four being from the majority party, and three from the minority party; one member of the Department of State appointed by the President; one member of the Department of Justice appointed by the President; one member of the Department of the Treasury appointed by the President. There would also be private sector representation on the International Narcotics Control Commission, with five members of the public to be appointed by the President after consultation with the members of the appropriate congressional committees. There would be, of course, a Chairman and a Cochairman of the Commission.

A rotating system would be established for the designation of the Chairman of the International Narcotics Control Commission, with the President of the Senate designating one of the Senate Members as Chairman in even-numbered Congresses, and the Speaker of the House designating one of the House Members as Chairman during odd-numbered Congresses. The Commission would also be provided with subpoena power.

The President of the United States will participate in the activities of the Commission by submitting a semiannual report with regard to the status of international compliance with narcotics control treaties, the initial report to be submitted 6 months after the date of enactment of this proposal. In turn, the Commission is authorized and directed to report to the Congress on a periodic basis, and at the end of each fiscal year the Commission will submit to the Congress a report on its expenditures.

Mr. President, a well-structured and well-supported entity such as the International Narcotics Control Commission would be of invaluable assistance in the battle against drug abuse. Enactment of this legislation would provide an international forum for consideration of narcotics control efforts worldwide, and would enable my colleagues in the U.S. Congress to express their concern in this most vital of issues. Mr. President, as we all work together to achieve the eradication of drug abuse, I wish to take this opportunity to urge speedy adoption of this amendment.

WE NEED AN INTERNATIONAL NARCOTICS
CONTROL COMMISSION

Mr. DeCONCINI. Mr. President, I rise in support of an amendment offered by the distinguished Senator

from Florida, Senator HAWKINS, and urge its adoption today.

Mr. President, this amendment is probably long, long overdue. The narcotics smuggling problem and drug abuse problem in this country is an international disgrace and needs an international solution. The amendment of the Senator from Florida would take the first step in the direction of monitoring what international remedies might be available to stemming the tide of drugs from foreign countries into the United States. By establishing an international "watch dog" commission to monitor and promote international compliance with narcotics control treaties, we will be assured that more than casual review of international drug control programs will be brought to bear. Furthermore, the Hawkins amendment will help to assure that the United States and all foreign countries who suffer from the drug plague, will work together to craft multilateral agreements to combat drug abuse and narcotics trafficking.

Mr. President, our efforts to force foreign drug source countries to crack down on the drug trafficker have been mixed. On the one hand, we see a country like Colombia finally getting tough on the drug trafficker in that major producer of cocaine and marijuana. On the other hand, we see countries like Peru and Bolivia virtually paralyzed by the narcotics trade and unable to make anything more than a dent in the flow of drugs out of those South American countries. Add to these the continuing role of the Bahamas, Jamaica, and Belize as major transshipment countries for drug trafficking, and it is clear that we need a more cohesive, international policy in our war on drugs. Hopefully, the International Narcotics Control Commission that would be established by this amendment will bring the drug source, drug transshipment, and drug consumer nations together in a common goal to rid the world of the drug poison that is killing our citizens and threatening the lives of our children in schools, on the playground, and in the home.

Mr. President, I am pleased to be a cosponsor of this amendment. It is an idea whose time has come. On the one side of our war on drugs we are making great progress in drug interdiction by beefing up our civilian and military interdiction capabilities. On May 21, the Senate passed my amendment to the defense authorization bill, establishing for the first time in history, a peacetime drug interdiction capability within the Department of Defense. The Customs Service has done a good job of beefing up its interdiction capabilities, as has the Coast guard. However, on the other hand, our ability to move foreign governments to match the resolve of the United States in attacking the drug smuggler, has been less successful. The Commission

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established in this amendment may be the catalyst that allows us to turn the corner in the crucial international arena to halt drug abuse and drug trafficking.

Mr. President, I urge the adoption of the amendment and applaud Senator Hawkins for her initiative and persistence in this matter.

Mr. BIDEN. Mr. President, I support the concept of an International Narcotics Control Commission to encourage cooperation on the important issue of international narcotics control. Five years ago in my report entitled, "The Sicilian Connection: Southwest Asian Heroin En Route to the United States" I stressed the need for greater bilateral and multinational cooperation in dealing with the international problem of drug abuse. My report clearly stated the need to bring this tragic issue to a higher level of international concern. Therefore, in this context I believe the Commission could provide a very useful service.

There are several issues that I would like to be considered as part of the legislative record on this amendment that will not be directly reflected in the statutory language. With regard to the membership of the Commission, I believe it is essential that the congressional Members be chosen based on their committee assignments and expertise on foreign relations and international narcotics matters. This should certainly be the case with regard to the Chairman and Cochairman. Additionally, if the Commission is to truly serve a useful purpose in the international community, the five public members should be known experts/leaders in this subject area and not political appointments made simply to pay off some favor. These individuals should be recognized throughout the international community for their work in promoting bilateral and multilateral cooperation in stemming drug abuse and narcotics trafficking throughout the world.

It is equally important that the proposed member from the Department of Justice be the Attorney General, which, under legislation included in the crime package last year, makes him the Chairman of the National Drug Enforcement Policy Board. His role as Chairman of this Board is to serve as the individual Congress and the American people will look to as the primary adviser to the President and Congress on national and international antidrug programs. I am glad that the Senator from Florida agrees that he be a member of this Commission.

It is important that the activities of this Commission reflect a consistent position of the Congress and particularly those congressional committees most responsible for oversight of narcotics enforcement and international drug trafficking. It would be extremely damaging to our international drug abuse strategy if the Commission was viewed as duplicative or sending mixed

signals abroad as to the U.S. drug policy.

I do believe that the Commission can provide a stronger voice in the international community on the issue of drug abuse. However, I would hope that in the final agreement reached in the House and Senate conference, that these concerns shared by myself and others be considered.

Mr. LUGAR. Mr. President, I commend the distinguished Senator from Florida for this amendment and equally for the strong and vigorous leadership she has given in the fight against drug abuse in this country and internationally. She has been outspoken, she has been courageous and, in my judgment, she has been highly effective.

This amendment, once again, extends that record of service. On our side, we are prepared to accept the amendment.

Mr. PELL. Mr. President, I join in commending the Senator from Florida on this amendment. This commission could be exceptionally useful. I am very glad, indeed, to join in supporting it.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 329) was agreed to.

Mr. LUGAR. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mrs. HAWKINS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

TECHNICAL CORRECTION TO AMENDMENT NO. 311

Mr. LUGAR. Mr. President, I ask unanimous consent that a technical correction be made to amendment No. 311, sponsored by the distinguished Senator from New York [Mr. D'AMATO]. This amendment was to increase the total authorization for USIA and then earmark the increase for the specific purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 311), as modified, reads as follows:

On page 1, line 1, of the Weicker Amendment No. 294, as amended, change the dollar amount to \$837,633,000.

At the end of the bill, insert:

SUPPLEMENTAL AUTHORIZATION FOR INTERNATIONAL GAMES

SEC. — Of the funds authorized to be appropriated for fiscal year 1986 by section 302(a), \$3,000,000 shall be available only to reimburse expenses associated with the XV World Games for the Deaf, the Fifth National Amputee Championship, and the 1986 National Cerebral Palsy/Les Autres Games.

TECHNICAL CORRECTION TO AMENDMENT NO. 300

Mr. LUGAR. Mr. President, I ask unanimous consent that a technical change be made to amendment No. 300, sponsored by the distinguished Senator from Florida [Mrs. HAWKINS] to conform it to the unanimous-consent agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

The technical change reads as follows:

In Amendment 300, on page 17, line 21, delete the "(1)" inserted after "a", and strike "(2)(a)" through "Marti program."

Mr. LUGAR. In removing the congressional findings section from amendment No. 300, we are merely changing the amendment to a funding earmark, with no prejudice to the substance of those findings or criticism of the program. Indeed, in making this earmark, Congress is increasing the funds available to the program.

Mr. PELL. That is correct.

Mrs. HAWKINS. That is correct.

I wish to commend and endorse the decision of the President to begin broadcasting the Radio Marti Program on May 30, 1985. It gives the people of Cuba a reliable alternative to the Government-sponsored propaganda of the Castro regime. As we know, the purpose of the legislation that created the Radio Marti Program was to promote the cause of freedom in Cuba by broadcasting accurate and objective programming into Cuba.

Mr. LUGAR. I too wish to commend the President's decision to begin broadcasting the important Radio Marti Program, and to commend as well the distinguished Senator from Florida for her diligent efforts on its behalf.

AMENDMENT NO. 325

Mr. LUGAR. Yesterday, the Senate agreed to amendment No. 325, sponsored by the distinguished Senator from New Mexico [Mr. DOMENICI]. I wish to propound a question concerning the sponsor's intention in offering the amendment. Mr. President, as I understand the amendment concerning exchanges and grants in Latin America, Central America and the Caribbean, the intention is to earmark funds for grants and exchanges in that part of the world. The earmark is based on the congressional budget presentation, and includes funding for the Fulbright Graduate Program and the International Visitors Program, as well as for the Central American Undergraduate Scholarship Program. Is that the intention of the sponsor?

Mr. DOMENICI. Mr. President, that is my intention.

Mr. LUGAR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LUGAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LUGAR. Mr. President, I ask unanimous consent that the two amendments by the distinguished Senator from North Carolina, Senator HELMS, be temporarily set aside, that consideration might recur on the

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AMENDMENTS SUBMITTED

DEPARTMENT OF STATE AUTHORIZATIONS, FISCAL YEARS 1986 and 1987

PROXMIRE (AND OTHERS)
AMENDMENT NO. 270

(Ordered to lie on the table.)

Mr. PROXMIRE (for himself, Mr. HATFIELD) Mr. JOHNSTON, Mr. COKE, Mr. BINGAMAN, Mr. LEVIN, Mr. SIMON, and Mr. LEAHY) submitted an amendment intended to be proposed by them to the bill (S. 1003) to authorize appropriations for the Department of State, the U.S. Information Agency, the Board for International Broadcasting, and the National Endowment for Democracy, and for other purposes for fiscal years 1986 and 1987; as follows:

On page 31, after line 23, insert the following:

TITLE VI—MISCELLANEOUS
PROVISIONS

POLICY OF CONGRESS REGARDING THE ESTABLISHMENT OF A JOINT COMMISSION OF THE UNITED STATES AND THE SOVIET UNION TO STUDY THE CONSEQUENCES OF NUCLEAR WINTER

Sec. 801. It is the sense of the Congress that the President should propose to the Government of the Soviet Union during any arms control talks held with such Government—

(1) that the United States and the Soviet Union establish a joint commission to study the atmospheric, climatic, environmental, and biological consequences of nuclear explosions, sometimes known as "nuclear winter", and the impact that nuclear winter would have on the national security of both nations;

(2) that the work of such joint commission include the sharing and exchange of information and findings on the nuclear winter phenomena and the conduct of joint research projects that would benefit both nations; and

(3) that at some time after the establishment of the joint commission the other nuclear weapon nations—the United Kingdom, France, and the People's Republic of China—be involved in the work of the joint commission.

DODD (AND OTHERS)
AMENDMENT NO. 271

Mr. DODD (for himself, Mr. PELL, Mr. HARKIN, and Mr. KERRY) proposed an amendment to the bill S. 1003, supra; as follows:

At the appropriate place in the bill, insert the following new section:

PROTECTION OF UNITED STATES SECURITY
INTERESTS IN THE CENTRAL AMERICAN REGION

Sec. 17. (a) The Congress finds and declares that a direct threat to the security interests of the United States in the Central American region would arise from several developments including, but not limited to, the following:

(1) The stationing, installation, or other deployment of nuclear weapons or the delivery systems for such weapons in the Central American region.

(2) The establishment of a foreign military base in the Central American region by the government of a Communist country.

(3) The introduction into the Central American region of any advanced offensive weapons system by the government of a Communist country if such system is more sophisticated than such systems currently in the region.

(b) If any development described in paragraphs (1) through (3) of subsection (a) arises, the Congress intends to act promptly, in accordance with the constitutional processes and treaty commitments of the United States, to protect and defend United States security interests in the Central American region and to approve the use of military force, if necessary, for that purpose.

(c) Notwithstanding any other provision of law, the prohibition contained in section 8066(a) of the Department of Defense Appropriation Act, 1985, as enacted by the Act of October 12, 1984 (Public Law 98-473), which applies to funds available during the fiscal year 1985 to the Central Intelligence Agency, the Department of Defense, or any other agency or entity of the United States involved in intelligence activities shall apply to the same extent and in the same manner with respect to any such funds available during any fiscal year beginning on or after October 1, 1985. For purposes of the application of this subsection, the reference in such section 8066(a) to the fiscal year 1985 shall be deemed to be a reference to the fiscal year in which such funds are available.

(d) There are authorized to be appropriated to the President \$14,000,000 for the fiscal year 1986 to be available only to achieve—

(1) the safe and orderly withdrawal from Nicaragua of all military and paramilitary forces which were supported by the United States before October 12, 1984; and

(2) the relocation of such forces, including members of the immediate families of individuals serving in such forces.

(e)(1) There are authorized to be appropriated to the Secretary of State \$10,000,000 which shall be used only as may be necessary to assist the negotiations sponsored by the Contadora group and to support through peacekeeping and verification activities the implementation of any agreement reached pursuant to such negotiations.

(2) For purposes of paragraph (1), the term "Contadora group" refers to the governments of Colombia, Mexico, Panama, and Venezuela.

(f) Nothing in this Act shall be construed as granting any authority to the President with respect to the introduction of United States Armed Forces into hostilities or into situations wherein involvement in hostilities is clearly indicated by the circumstances which authority he would not have had in absence of this Act.

(g) For purposes of this Act—

(1) the term "Central American region" refers to the geographic region containing Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua; and

(2) the term "Communist country" has the same meaning as is given to it by section 620(d) of the Foreign Assistance Act of 1961.

KENNEDY (AND HATFIELD)
AMENDMENT NO. 272

Mr. KENNEDY (for himself and Mr. HATFIELD) proposed an amendment to the bill S. 1003, supra; as follows:

Viz: At the appropriate place in the bill, insert the following sections:

BILATERAL NEGOTIATIONS BETWEEN THE UNITED STATES AND THE GOVERNMENT OF NICARAGUA

Sec. . It is the sense of Congress that the United States should resume bilateral negotiations with the government of Nicaragua.

LIMITATIONS ON INTRODUCTION OF ARMED FORCES INTO NICARAGUA FOR COMBAT

Sec. . (a) Notwithstanding any other provision of law, none of the funds appropriated pursuant to an authorization in this or any other Act may be obligated or expended for the purpose of introducing Armed Forces of the United States into or over the territory or waters of Nicaragua for combat.

(b) As used in this section, the term "combat" means the introduction of Armed Forces of the United States for the purpose of delivering weapons fire upon an enemy.

(c) This section does not apply with respect to an introduction of the Armed Forces of the United States into or over Nicaragua for combat if—

(1) the Congress has declared war; or

(2) the Congress has enacted specific authorization for such introduction, which authorization may be expended in accordance with those expedited procedures set forth in Section 8088 of the Department of Defense Authorizations Act (1985), Public Law 98-473; or

(3) such introduction is necessary—

(A) to meet a clear and present danger of hostile attack upon the United States, its territories or possessions; or

(B) to meet a clear and present danger to, provide necessary protection for, the United States Embassy; or

(C) to meet a clear and present danger to, and to provide necessary protection for and to evacuate, United States Government personnel or United States citizens.

HART AMENDMENT NO. 273

Mr. HART proposed an amendment to the bill S. 1003, supra; as follows:

On page 31, after line 23, add the following:

TITLE VI—MISCELLANEOUS
PROVISIONS

RESTRICTION ON THE INTRODUCTION OF LIMITED STATES ARMED FORCES INTO CENTRAL AMERICA

Sec. 801. (a) The Congress finds that—

(1) the Government of Nicaragua has disregarded its commitments to internal pluralism and non-intervention in its neighbors' affairs, and thereby caused grave concern in the United States and among the nations of Central America;

(2) the Government of the United States has placed an economic embargo on Nicaragua and resorted to other economic and political pressures to affect the policies of Nicaragua;

(3) the increasingly frequent presence of American combat troops in Central America for training exercises, particularly in the current, extremely tense atmosphere, does not advance American foreign policy objectives and may lead to military conflicts; and

(4) the Government of the United States should place its first priority on diplomatic initiatives in the conduct of its foreign policy, and such initiatives should precede any use or threat of military force.

(b)(1) No combat units of the Armed Forces of the United States may be sent into the territory, airspace, or waters of Costa Rica, El Salvador, Guatemala, Honduras, or Nicaragua for training exercises or any other purpose after the date of enactment of this Act unless—

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(A) the Congress has authorized the presence of such units in advance by a joint resolution enacted into law; or

(B) the presence of such units is necessary to provide for the immediate evacuation of United States citizens, or to respond to a clear and present danger of military attack on the United States.

(2) In either case described in clause (B) of paragraph (1), the President should advise and, to the extent possible, consult in advance with the Congress.

BIDEN (AND OTHERS) AMENDMENT NO. 274

Mr. BIDEN (for himself, Mr. BRADLEY, Mr. SASSER, Mr. GORE, and Mr. COHEN) proposed an amendment, which was subsequently modified, to the bill S. 1003, supra; as follows:

At the end of the bill, add the following new title:

TITLE VI—U.S. POLICY TOWARD NICARAGUA

PROHIBITION ON MILITARY AND PARAMILITARY AID

Sec. 601. The prohibitions contained in section 8066 of Public Law 98-473 and in section 801 of Public Law 98-618 shall remain in full force and effect with respect to all material, financial and training assistance: *Provided, however*, that the assistance authorized by section 602 shall be permitted.

AID TO NICARAGUANS CONSTITUTING A DEMOCRATIC OPPOSITION

Sec. 602. (a) During fiscal year 1985, and again during fiscal year 1986, not more than \$14,000,000 may be expended for the provision of food, clothing, medicine and other humanitarian assistance to resistance forces which are opposed to the present Government in Nicaragua: *Provided, however*, That—

(1) such assistance is provided in a manner such that the nature and extent of such assistance is independently monitored;

(2) the United States resumes bilateral negotiations with the Government of Nicaragua; and

(3) the Government of Nicaragua and resistance forces which are opposed to the Government of Nicaragua each agree to institute a cease fire.

(b) In the event the Government of Nicaragua refuses to enter into a mutual cease fire as described in subsection (a)(3), or to resume bilateral negotiations with the United States as described in subsection (a)(2), the humanitarian assistance authorized by this section may be provided.

(c) In the event a mutual cease fire described in this section is seriously or substantially violated by resistance forces opposed to the Government of Nicaragua, no humanitarian assistance authorized by this section may thereafter be provided: *Provided, however*, That if the Government of Nicaragua has earlier, and seriously or substantially, violated such cease fire, this prohibition shall not apply.

DISTRIBUTION OF ASSISTANCE

Sec. 603. (a) The \$14,000,000 described in section 602 may be provided only—

(a) by the Department of State;

(b) from funds previously appropriated to the Department of State; and

(c) upon a determination by the Secretary of State that the assistance is necessary to meet the humanitarian needs of resistance forces opposing the Government of Nicaragua.

FORM OF ASSISTANCE

Sec. 604. The assistance described in section 602 may be provided only in the form

of goods and services, and no direct or indirect financial assistance may be provided.

PROHIBITION ON OTHER ASSISTANCE

Sec. 605. No assistance may be provided by the United States to resistance forces opposed to the Government of Nicaragua except as authorized and for the purpose described in section 602, and no funds may be used to provide the assistance authorized in section 602 except as provided in section 603.

SUPPORT FOR CONTADORA NEGOTIATIONS

Sec. 606. (a) It is the sense of the Congress that the United States should encourage and support the efforts of the Contadora nations (Colombia, Mexico, Panama, and Venezuela) to negotiate and conclude an agreement based upon the Contadora Document of Objectives of September 9, 1983.

(b) In the event that less than \$14,000,000 is expended for the humanitarian assistance authorized in section 602, the remainder of such amount and any necessary additional funds may be made available for payment to the Contadora nations for expenses arising from implementation of the agreement described in this section including peacekeeping, verification, and monitoring systems: *Provided, however*, That in the event \$14,000,000 is expended for the humanitarian assistance authorized by section 602, other funds may be made available for payment of such expenses. Any funds made available for the purpose described in this subsection may be provided from funds previously appropriated to the Department of State.

PRESIDENTIAL REPORT TO CONGRESS

Sec. 607. The President shall submit a report to the Congress every 90 days on any activity carried out under this title. Such report shall include a report on the progress of efforts to reach a negotiated settlement as set forth in section 602 and 606, a detailed accounting of the disbursement of humanitarian assistance, and steps taken by the democratic resistance toward the objectives described in section 611.

SUSPENSION OF EMBARGO AGAINST NICARAGUA

Sec. 608. The national emergency declared in the President's executive order of May 1, 1985, prohibiting trade and certain other transactions involving Nicaragua, shall be terminated, and the prohibitions contained in that executive order shall be suspended, if the Government of Nicaragua enters into a cease-fire and negotiations with opposition forces.

UNITED STATES MILITARY MANEUVERS NEAR NICARAGUA

Sec. 609. It is the sense of Congress that the President should order a suspension of U.S. military maneuvers in Honduras and off Nicaragua's coast if the Government of Nicaragua agrees to a cease fire, to open a dialogue with the democratic resistance, and to suspend the state of emergency.

FUTURE LOGISTICAL AID TO NICARAGUANS CONSTITUTING A DEMOCRATIC OPPOSITION

Sec. 610. The President may request the Congress to authorize additional logistical assistance for resistance forces opposed to the Government of Nicaragua, in such amount as he deems appropriate, including economic sanctions with respect to the Government of Nicaragua, in the event that—

(a) the Government of Nicaragua refuses to resume the bilateral negotiations with the United States, as described in section 602; or

(b) following an agreement between the Government of Nicaragua and the United States to resume the bilateral negotiations which are described in section 602, the Government of Nicaragua refuses to enter into

a mutual cease fire, as described in section 602. A request submitted to the Congress under this section shall be handled by the Congress under the provisions of section 612.

PRECONDITION FOR FUTURE AID TO NICARAGUANS CONSTITUTING A DEMOCRATIC OPPOSITION

Sec. 611. (a) Congress finds that United States assistance to a Nicaraguan democratic opposition can be justified, and can be effective, only if such opposition truly represents democratic and humanitarian values.

(b) Therefore, Congress shall consider further assistance to the democratic opposition only if such opposition has eliminated from its ranks all persons who have engaged in abuses of human rights.

(c) The President shall submit any future request for assistance for opposition forces only in accompaniment with a detailed certification, which shall be subject to congressional hearings, that opposition has in fact acted effectively to eliminate from its ranks all persons who have engaged in violations of human rights.

EXPEDITED PROCEDURE FOR FUTURE AID REQUESTS

Sec. 612. (a) A joint resolution which is introduced within three calendar days after the Congress receives a Presidential request described in section 610 and which, if enacted, would grant the President the authority to take any or all of the actions described in such section, shall be considered in accordance with procedures contained in section 8066 of Public Law 98-473: *Provided, however*, That—

(1) references in that section to the Committee on Appropriations of each House shall be deemed to be references to the appropriate committee or committees of each House; and

(2) amendments to the joint resolution are in order.

(b) This section is enacted by Congress as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in subsection (a), and it supercedes other rules only to the extent that it is inconsistent with such rules.

(c) With full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

FUTURE AID TO THE GOVERNMENT OF NICARAGUA

Sec. 613. (a) If the Congress determines that progress is being made toward peace and development of democratic institutions in Nicaragua, Congress will consider initiating a number of economic and development programs, including but not limited to—

- (1) trade concessions;
- (2) Peace Corps programs;
- (3) technical assistance;
- (4) health services; and
- (5) agricultural and industrial development.

(b) In assessing whether progress is being made toward achieving these goals, Congress will expect, within the context of a regional settlement—

(1) the removal of foreign military advisers from Nicaragua;

(2) the end to Sandinista support for insurgencies in other countries in the region, including the cessation of military supplies

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to rebel forces fighting the democratically-elected government in El Salvador;

(3) restoration of individual liberties, political expression, freedom of worship, and independence of the media; and

(4) progress toward internal reconciliation and a pluralistic democratic system.

NUNN (AND OTHERS) AMENDMENT NO. 275

Mr. NUNN (for himself, Mr. BENTSEN, Mr. BOKS, Mr. CHILES, Mr. JOHNSTON, Mr. DOLE, Mr. LUGAR, Mr. DURENBERGER, Mr. DeCONCINI, Mr. NICKLES, Mr. GOLDWATER, Mr. EXON, Mr. STEVENS, Mr. DOMENICI and Mr. MATTINGLY) proposed an amendment to the bill S. 1803, *supra*, as follows:

At the appropriate place in the bill, insert the following new section:

Sec. (a) Notwithstanding section 406 of the International Security & Development Cooperation Act of 1986 as contained in S. 980 (99th Congress, 1st session) or any other provision of law, there is authorized to be appropriated \$24,000,000 for Fiscal Year 1986 to be expended by the President for humanitarian assistance to the Nicaraguan democratic resistance.

(b) Subsections 3086(a) and (b) of the Department of Defense Appropriations Act, 1985, as contained in the joint resolution entitled a "Joint Resolution making continuing appropriations for the fiscal year 1985, and for other purposes", approved October 12, 1984 (Public Law 98-473; 98 Stat. 1935), and section 501 of the Intelligence Authorization Act for fiscal year 1985 (Public Law 98-618; 98 Stat. 3304) are hereby repealed, provided however that the funds made available by this section may only be used by the President for humanitarian assistance to the Nicaraguan democratic resistance.

(c) The President shall direct the National Security Council to monitor the use of funds for the purpose authorized in subsections (a) and (b).

(d) Nothing in this section shall be construed to impair or limit in any way the oversight powers of the Congress.

(e) The President is hereby urged and requested—

(1) to pursue vigorously the use of diplomatic and economic measures to resolve the conflict in Nicaragua, including simultaneous negotiations to:

(A) implement the Contadora Document of Objectives of September 8, 1983, and

(B) develop, in close consultation and cooperation with other nations, trade and economic measures to complement the economic sanctions of the United States imposed by the President on May 1, 1985 and to encourage the Government of Nicaragua to take the necessary steps to resolve the conflict.

(2) to suspend the economic sanctions imposed by the President on May 1, 1985 and the United States military maneuvers in Honduras and off the coast of Nicaragua if the Government of Nicaragua agrees (A) to a cease fire, (B) to open a dialogue with all elements of the opposition, including the Nicaraguan democratic resistance, and (C) to suspend the state of emergency in Nicaragua;

(3) to call upon the Nicaraguan democratic resistance to remove from their ranks any individuals who have engaged in human rights abuses; and

(4) to resume bilateral discussions with the Government of Nicaragua with a view to encouraging—

(A) a church-mediated dialogue between the Government of Nicaragua and all ele-

ments of the opposition, including the Nicaraguan democratic resistance, in support of internal reconciliation as called for by the Contadora Document of Objectives; and

(B) a comprehensive, verifiable agreement among the nations of Central America, based on the Contadora Document of Objectives.

(3) The President shall submit a report to the Congress 90 days after the enactment of this act, and every 90 days thereafter, on any actions taken to carry out subsections (a) and (b). Each such report shall include (1) a detailed statement of the progress made, if any, in reaching a negotiated settlement referred to in subsection (e)(1), (2) a detailed accounting of the disbursements made to provide humanitarian assistance with the funds referred to in subsection (a) and (b), and (3) a statement of the steps taken by the Nicaraguan democratic resistance to comply with the request referred to in subsection (e)(B).

(g) As used in this section, the term "humanitarian assistance" means the provision of food, clothing, medicine, other humanitarian assistance, and transportation associated with the delivery of such assistance. Such term does not include weapons, weapons systems, ammunition, or any other equipment or material which is designed, or has as its purpose, to inflict serious bodily harm or death.

(h) Nothing in this section precludes sharing or collecting necessary intelligence information by the United States.

(j)(1) No other material assistance may be provided to the Nicaraguan democratic resistance, directly or indirectly, by any agency or instrumentality of the Government of the United States from any funds under its control or otherwise available to it unless an additional request is presented to Congress by the President and then only to the extent it is approved as provided in this section.

(2) If the President determines at any time after the date of the enactment of this act that negotiations based on the Contadora Document of Objectives of September 8, 1983 have failed to produce an agreement, or if other trade and economic measures have failed to resolve the conflict in Central America, the President may request the Congress to authorize additional assistance for the Nicaraguan democratic resistance in such amount and of such a nature as the President considers appropriate. The President shall include in any such request a detailed statement as to why the negotiations or other measures have failed to resolve the conflict in the region.

(j)(1) A joint resolution which is introduced within 3 calendar days after the day on which the Congress receives a Presidential request described in subsection (1) and which, if enacted, would grant the President the authority to take any or all of the actions described in subsection (1) shall be considered in accordance with procedures continued in paragraph (5) through (7) of subsection (c) of section 3086 of the Department of Defense Appropriations Act, 1985, as contained in the joint resolution entitled a "Joint Resolution making continuing appropriations for the fiscal year 1985, and for other purposes", approved October 12, 1984 (Public Law 98-473; 98 Stat. 1935), except that—

(A) references in such paragraphs to the Committee on Appropriations of the Senate the House of Representatives shall be deemed to be references to the appropriate committee or committees of the Senate and the House of Representatives, respectively; and

(B) amendments to the joint resolution are in order.

(2) This Section is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in subsection (a), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as related to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

IMPROVEMENTS TO RIVERS AND HARBORS

LAUTENBERG (AND OTHERS) AMENDMENT NO. 276

(Ordered referred to the Committee on Environment and Public Works.)

Mr. LAUTENBERG (for himself, Mr. MOYNIHAN, Mr. BRADLEY, and Mr. D'AMATO) submitted an amendment intended to be proposed by them to the bill (S. 306) to authorize the United States Army Corps of Engineers to construct various projects for improvements to rivers and harbors of the United States, and for other purposes, as follows:

On page 88, between lines 19 and 20, insert the following: "(30) Ramapo and Mahwah Rivers, Mahwah, New Jersey and Suffern, New York: Report of the Chief of Engineers dated November 24, 1984 at a total cost of \$5,700,000 (October 1984)."

● Mr. LAUTENBERG. Mr. President, I am today introducing, along with Senators MOYNIHAN, BRADLEY, and D'AMATO, legislation to authorize a flood control project for the Passaic River basin. The problem we seek to address is the overtopping of the channel banks along the Ramapo and Mahwah Rivers at Mahwah, NJ, and Suffern, NY.

A severe flood in November 1977 caused \$4,850,000 in damage. The project we are authorizing will reduce the potential for such damage by modifying the channels of the Ramapo and Mahwah Rivers.

A study of this project was initiated in June 1979. The project has now been reviewed by all State and local agencies and interested parties. The States of New Jersey and New York have indicated that they will serve as the non-Federal sponsors of this project.

The channel modifications for the Ramapo and Mahwah Rivers will cost \$5,700,000. The project has a favorable cost-benefit ratio of 1.7.

Mr. President, the authorization for the Ramapo and Mahwah Rivers project is one of many steps that must be taken to address flooding and the resulting damage and loss of life in the Passaic River basin. Other flood control projects are working their way through the Corps of Engineers pro-

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ess. Other Projects include work at Saddle River in Bergen County, NJ; along the Ramapo River in Pompton Lakes, NJ, and at Molly Ann's Brook in the towns of Patterson, Haledon, and Prospect Park, NJ. As these projects receive approval by the Chief of Engineers, I will be seeking their inclusion in water resources legislation.

The projects I have mentioned are called the interim projects in the Passaic River basin. Other more extensive work is needed as well. A long-term solution to flooding in the Passaic River basin including structural and non-structural remedies is currently under study. With the memories of the devastating 1984 flooding in mind, I believe we must face the critical issue of flood control before it happens again.◊

DEPARTMENT OF STATE AUTHORIZATIONS, FISCAL YEAR 1986 AND 1987

ROTH AMENDMENT NO. 277

(Ordered to lie on the table.)

Mr. ROTH submitted an amendment intended to be proposed by him to the bill S. 1003, supra; as follows:

At the appropriate place in the bill add the following new sections: To prevent the conduct of Espionage activities in the United States by employees of the United Nations.

"Sec. (a) The Congress finds that—

"(1) Pursuant to the Headquarters Agreement between the United States and the United Nations (authorized by Public Law 80-357, 22 U.S.C. 387, Aug. 4, 1947):

"(A) The United States has accepted the treaty obligation to permit, and to facilitate, persons employed by or who are authorized by the United Nations to conduct official business in connection with the organization or any agency thereof, the right of entry into, and the exit from, the United States subject to regulation as to points of entry and departure, for purposes of conducting official activities within the Headquarters District; and

"(B) An obligation to permit, and to facilitate, acquisition of facilities in order to conduct such activities within or in proximity to the Headquarters District, subject to reasonable regulation, including the location and size of such facilities' and

"(2) Taking into account subsection (1), and consistent with the obligation of the United States to facilitate the functioning of the United Nations, the United States has no additional obligation to permit the conduct of any other activities, including non-official activities, by such persons outside of any area described in this section.

"(b) Title II of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4801, et seq.), is amended by adding the following new section:

"Sec. (a) **DETERMINATIONS.**—For purposes of this Act, 'Headquarters District' shall mean such area, if any, within the United States, agreed to by a public international organization and the United States to constitute such a District, together with such areas as the Secretary of State may approve from time to time in order to permit effective functioning of the Organization or Missions thereto;

"(b) The conduct of any activities, or the acquisition of any benefits as defined by P.L. 80-357, by any person described in sub-

section (a)(1)(A), or any person or agency acting on behalf thereof, outside an area described in that subsection may be permitted or denied or subject to reasonable regulation as determined to be in the best interests of the United States and pursuant to the provisions of P.L. 80-357.

"(c) The Secretary of State shall report to the Congress not later than thirty days after the date of enactment of this Section as to plans for implementation of its provisions, and shall report not later than six (6) months thereafter as to action taken pursuant thereto.

"(d) The Secretary of State is directed to apply to employees of the United Nations Secretariat who are nationals of a foreign country any and all terms, limitations, restrictions, or conditions applicable to individuals pursuant to this Title as may from time to time be applied to members of the consulate, embassy, or mission to the United Nations of this country in the United States, pursuant to this Title.

"(e) Nothing in this section shall apply to any United States national."

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON THE HANDICAPPED

Mr. LUGAR. Mr. President, I ask unanimous consent that the Subcommittee on the Handicapped of the Committee on Labor and Human Resources be authorized to meet during the session of the Senate on Thursday, June 6, to mark up S. 415 to clarify the intent of Congress to protect the educational rights of handicapped children, and S. 974, to provide for protection and advocacy for mentally ill persons.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NATURAL RESOURCES DEVELOPMENT AND PRODUCTION

Mr. LUGAR. Mr. President, I ask unanimous consent that the Subcommittee on Natural Resources Development and Production of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, June 6, to hold an oversight hearing on the impact of coal imports on the domestic coal industry.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. LUGAR. Mr. President, I ask unanimous consent that the Subcommittee on Intelligence be authorized to meet during the session of the Senate on Thursday, June 6, 1985, in closed executive session, to receive a briefing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

THE ARC

◊ Mr. SARBANES. Mr. President, this year marks the 20th anniversary of the passage of the Appalachian Development Act of 1965, which authorized a broad spectrum of economic development programs for 397 counties in 13

States. President John F. Kennedy became interested in establishing the Appalachian Regional Commission in the early 1960's after a conversation with Maryland's Gov. J. Millard Tawes regarding the great need for an areawide economic development strategy. Contrary to the views held in the current administration about the effectiveness of the ARC's programs and the need for their extension, there is strong evidence that the ARC's programs have made a difference in the area's economic development and are still essential.

I have seen what the ARC has achieved in the three western counties of Maryland—Washington, Allegany, and Garrett Counties, and I have strongly supported its extension. I do not think that any counties have used ARC highway and economic development programs more skillfully than these three jurisdictions. Communities which could not otherwise afford to install badly needed water and sewer systems essential to economic development and attracting industry and permanent jobs have been able to do so with the ARC's assistance. Rail and road connections to industrial parks were developed using ARC funds. Important health and child nutrition programs were funded through the ARC.

Mr. President, an article by Doris Deaken in the Baltimore Sun on June 4, 1985, outlines the importance of the Appalachian Regional Commission and its impact. I ask that it be printed in the Record.

The article follows:

(From the Baltimore Sun, June 4, 1985)

APPALACHIA WITHOUT THE ARC

(By Doris Deaken)

WASHINGTON.—Campaigning in West Virginia in 1960, John F. Kennedy saw Appalachia, saw the poverty of it. "He had never expected to find anything like this in the United States" historian Arthur M. Schlesinger, Jr., has written, "... hungry, hollow-eyed children, dispirited families ... gray, dismal towns, despair."

Twice—in 1902 and again in 1935—teams of federal experts had studied the region's problems. When it came to remedial action, both teams advised the White House the task was too great. But President Kennedy was determined to do something. The eventual result was the Appalachian Regional Commission, created by Congress in 1965 with support from both parties. There was, in those days, a national commitment to help the country's weakest region.

This year, President Reagan is proposing to abolish the commission.

Why should we be concerned? The times are not for sentimental talk. After all, the focus in the real world is on the bottom line.

What is the bottom line for the ARC? Part of it, at least, is that this commission actually did what teams of federal experts in the past had said could not be done: It penetrated the barrier between Appalachia and economic prosperity.

There is an irony here. The commission managed to stimulate precisely the kind of economic growth that Mr. Reagan says is essential to reducing the nation's massive federal deficit.